

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32156 of 2016

Arising Out of PS.Case No. -14 Year- 2012 Thana -SARE District- NALANDA (BIHARSHARIFF)

1. Lalo Singh , son of Late Sri Singh
2. Raja Ram Kumar, son of Sri Lalo Singh
3. Mukesh Kumar, son of Sri Lalo Singh
4. Muniranjana Kumar, son of Sri Lalo Singh
All resident of Bahadurpur, P.S. Sare, District- Nalanda
..... Petitioners

Versus

The State of Bihar
..... Opposite Party

Appearance :

For the Petitioner/s : Mr. Md. Fazal Rahman, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 03-10-2016 Heard Mr.Md.Fazal Rahman, learned counsel for
the petitioners and learned Addl. Public Prosecutor.

Four petitioners have approached this Court,
invoking its inherent jurisdiction under Section 482 of the Code of
Criminal Procedure, with a prayer to quash an order dated
07.06.2016 passed in Sare P.S. Case No.14/2012 registered for the
offence under Sections 452/ 341/ 323/ 325/ 380/ 341 of the Indian
Penal Code and subsequently Section 308 of the Indian Penal
Code was added, corresponding to Sessions Trial No.162/2014
passed by the learned Addl. Sessions Judge-III, Biharsharif,
Nalanda. By the said order, the learned Addl. Sessions Judge has
rejected the petition filed on behalf of the petitioners under
Section 228 of the Code of Criminal Procedure.

It was submitted by learned counsel for the petitioners that on the basis of material on record, no offence under Section 308 of the Indian Penal Code is made out and other Sections are triable by the Magistrate. However, the learned Addl. Sessions Judge has incorrectly rejected the petition filed on behalf of the petitioners.

After hearing learned counsel for the parties, I have perused the material on record. After going through the same, I do not find any apparent defect in the impugned order.

The petition stands dismissed.

(Rakesh Kumar, J)

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